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PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts

EDUCATION DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 18th October, 2021.

GUJARAT SECONDARY AND HIGHER SECONDARY EDUCATION ACT, 1972

No. GH/SH/39 /BMS/112021/835/G:-. In exercise of the powers conferred by section 35 of the Gujarat Secondary and Higher Secondary Education Act, 1972 (Guj. 18 of 1973) so far as the appointment of the Teachers in the registered Private Secondary and Higher Secondary School having been granted the minority status is concerned, the Government of Gujarat hereby makes the following rules for the selection of the Teachers in the Registered Private Secondary and Higher Secondary Schools having been granted the minority status, namely :-

1. **Short title.-** These Rules may be called “The Teachers in the Registered Private Secondary and Higher Secondary Minority Schools (Procedure for Selection) Rules, 2021.”

2. Definitions. In these Rules, unless the context otherwise requires -

- (i) "Government" means the Government of Gujarat;
- (ii) "Registered Private Secondary and Higher Secondary Minority Schools" means the non-Government, Secondary and Higher Secondary Schools having been granted the status of minority on the basis of religion or linguistic under the law for time being in force and receiving grant-in-aid from the Government;
- (iii) "Scrutiny Committee for Minority Schools" means the Committee constituted under Rule 3;
- (iv) "Minority School Selection Committee" means the Committee constituted under Rule 7;
- (v) "Teachers Aptitude Test (TAT)" means the Teachers Aptitude Test conducted by the State Examination Board, Gandhinagar;
- (vi) "Old Teacher" means the Teacher who is already in the service of the registered private secondary and higher secondary school or registered private secondary and higher secondary minority school and possess five years' experience as regular teacher and has applied for new appointment in another registered private secondary and higher secondary school or registered private secondary and higher secondary minority school;
- (vii) "Shikshan Sahayak" means the Teachers who is newly appointed and is getting fixed salary for five years.
- (viii) "Concerned subject" means the subject/s prescribed in the Regulations 20(3) to 20(8) of the Gujarat Secondary and Higher Secondary Regulations, 1974 and amendment thereof from time to time
- (ix) "Appendix" means the Appendix appended to these Rules.

3. Constitution of Scrutiny Committee for Minority Schools.- (1) There shall be constituted a Scrutiny Committee for Minority Schools to be known as "The Gujarat State Scrutiny Committee for Recruitment of Teachers in the Registered Private Secondary and Higher Secondary Minority School."

- (2) The Scrutiny Committee for Minority Schools shall consist of the following members, namely:-

Sr. No	Designation	
(1)	Director of Schools, Gujarat State, Gandhinagar.	Chairman
(2)	Secretary, Gujarat Secondary and Higher Secondary Education Board, Gandhinagar	Member Ex-officio
(3)	A senior Government Officer, not below the rank of Deputy Secretary, to be appointed by the Government	Member
(4)	Two eminent educationists, to be nominated by the Government	Member
(5)	Five representatives from minority School managements to be nominated by the Government.	Member
(6)	The Joint Director of Schools, Gujarat State Gandhinagar	Member Secretary

- (3) The headquarters of the Scrutiny Committee for Minority Schools shall be at Gandhinagar.

4. Eligibility for appointment of Teacher. - To be eligible for appointment as a Teacher, a candidate shall possess -

- (1) requisite educational qualifications in accordance with the provisions of the Gujarat Secondary and Higher Secondary Education Act, 1972 and Gujarat Secondary and Higher Secondary Education Regulations, 1974 framed thereto and amended from time to time; and
- (2) basic knowledge of computer application as prescribed in the Gujarat Civil Services Classification and Recruitment (General) Rules 1967;

5. Selection of Teachers. - The Scrutiny Committee for Minority Schools shall carry out scrutiny of persons who have applied for appointment on the posts of Teachers in the registered private Secondary and Higher Secondary Minority Schools in accordance with the provisions of these Rules and provisions of the Gujarat Secondary and Higher Secondary Education Act, 1972 and Regulations framed thereunder from time to time.

6. Duties and functions of the Scrutiny Committee for Minority schools.-

The Scrutiny Committee for Minority Schools shall –

- (1) ascertain from the District Education Officers, the number of posts of Teachers, for which recruitment is to be made. However, it shall be incumbent upon the District Education Officers to send the requisition for

filling up of vacant posts of Teachers to the Scrutiny Committee for Minority Schools after calling upon the details of vacant posts of Teachers from management of the respective minority schools;

- (2) invite applications by an advertisement in the widely circulated Gujarati and English newspapers in the State of Gujarat;
- (3) scrutinize applications received and prepare the school and subject wise merit list for personal interview on the basis of weightage of the marks secured by the candidate in TAT and educational qualifications in the ratio of 70% and 30% respectively.
- (4) The list of first 15 candidates, who are in the merit list for personal interview as prepared in accordance with Rule 6 (3) above, shall be sent to the Minority School Selection Committee for personal interview.

7. **Constitution of Minority School Selection Committee.-** (1) The Minority School Selection Committee shall consist of the following members, namely:-

Sr. No.	Designation	
(1)	One of the Trustees nominated by the concerned Trust/Management of the Minority School	Chairman
(2)	An academician outside of the taluka, to be appointed by the District Education Officer as suggested by the concerned minority school Trust/Management in consultation with the District Education Officer	Member
(3)	One representative to be nominated by the concerned minority school Trust/Management	Member
(4)	Principal/in-charge Principal of the concerned minority school	Member
(5)	The Education Inspector of the Office of District Education Office of the concerned districts	Member Secretary

- (2) The quorum for the meeting of the Minority School Selection Committee shall be there (3) members in which presence of Education Inspector of the Office of District Education Office of the concerned districts shall be compulsory.
- (3) The headquarters of the Minority School Selection Committee shall be at the office of the concerned District Education Officer, or any other place as determined by the Minority School Selection Committee.
- (4) The record of selection procedure shall be maintained by the office of the Director of Schools, concerned District Education Officer and the minority school.

8. **Preparation of Requisitions.-** (1) The Trust/Management of minority secondary and higher secondary school shall send a requisition to the District Education Officer showing total number of vacancy/ies for the post of Teacher/s resulted on account of any reason whatsoever except in case of retirement within 30 days from occurrence of such vacancies including the newly created posts. In case of the vacancy/ies likely to occur in the next academic year due to retirement of the Teacher/s, the requisition shall be made at least before six months' from the date of such retirement.

- (2) While calculating the number of vacancies the number of posts to be filled up by the appointment of old teacher or Shikshan Sahayak shall be considered.

9. **Application for the post of Teacher.-** (1) A candidate who intends to apply for the post of a Teacher in minority school/s shall submit an application to the Scrutiny Committee for Minority Schools in such form, with such fees and within such time limit as may be specified in the advertisement.

- (2) The fees once paid shall not be refunded or held over for the subsequent selection.
- (3) The request for withdrawal of application form and refund of fees shall not be entertained in any circumstances.

10. **Scrutiny of the Applications. -** The application shall be scrutinized by the Scrutiny Committee for Minority Schools and the Scrutiny Committee for Minority Schools may adopt such procedure for such scrutiny as it deems fit.

- 11. Preparation of merit list for Personal Interview.** - (1) (a) The Scrutiny Committee for Minority Schools shall prepare a merit list for personal interview on the basis of weightage of 70% marks of the total marks secured by the concerned candidate in Teachers Aptitude Test (TAT) to be conducted at least once in a year by the State Examination Board, Gandhinagar.
- (b) The marks secured by the concerned candidate in TAT shall be valid for five years from the date of the result of the TAT.
 - (c) The candidate who has secured at least 50% marks in TAT shall only be considered as qualified candidate for TAT weightage.
 - (d) Subject to the other provisions of these Rules, a candidate shall be at liberty to appear in the TAT for more than one time. However, the score shown in the certificate which has been produced by the candidate along with the application shall be considered for preparation of merit list for personal interview in the manner as specified in **Appendix II**;
- (2) The weightage of 30 % shall be given, out of the marks secured in prescribed educational qualification for the concerned post (Please see example in **Appendix II**).
 - (3) The maximum marks for the qualification for the purpose of weightage of 30 % shall be as prescribed in **Appendix I**.
 - (4) The Scrutiny Committee for Minority Schools shall prepare school and subject wise merit lists for personal interview on the basis of marks secured by the concerned candidate as provided in sub-rules 1(a) and 2 above.
 - (5) The Scrutiny Committee for Minority Schools shall prepare the merit list of the successful candidates specifying their names, application numbers and total marks obtained by them in order of merit on the basis of aggregate marks finally awarded to each candidate as provided under sub-rules (1) to (3) above limited to the number of posts advertised by the Scrutiny Committee for Minority Schools.
 - (6) The Scrutiny Committee for Minority Schools shall prepare the list of unqualified candidates who are not included in merit list due to non- fulfillment of qualification criteria prescribed in above Rule 11(1), 11(2) and 11(3) specifying their names, application numbers and total marks obtained by them.
 - (7) The Scrutiny Committee for Minority Schools shall call the candidate figuring in the merit list for personal interview to verify the certificates of educational qualifications, birth date, caste certificate and such other documents. In case of verification, if the Scrutiny Committee finds any document/s or/and information false, fabricated, or concocted, such candidate shall be disqualified for the appointment of Teacher in accordance with provisions of Rule 17.
 - (8) The list of first 15 candidates who are in the merit list for personal interview as prepared in accordance with sub-clauses (4) and (5) above, shall be sent by the District Education officer to the Minority School Selection Committee for personal interview.
- 12. Verification of Documents.-** The concerned District Education Officer shall verify the certificates of educational qualifications, birth date, caste certificate and such other documents submitted by the concerned 15 candidates before issuance of call letter to such candidates for personal interview. In case of verification, if the District Education Officer finds any document/s or/and information false, fabricated, or concocted, such candidate shall not be called for personal interview for the post of Teacher.
- 13. Selection Procedure.-** (1) Subject to provisions of Rule 12 above, the District Education Officer and Minority School Trust/Management shall jointly issue the call letter to such candidates, who are in the merit list as prepared in accordance with Rules, for personal interview before the Minority School Selection Committee.
- (2) The Minority School Selection Committee shall give marks to the candidates out of total 10 (ten) marks.
 - (3) The marks to be given to the candidate by the Minority School Selection Committee shall be based on following norms, namely:-
 - I. The ability of administration of the educational activities of the school;
 - II. The knowledge of concerned subject for which application is made by the candidate;
 - III. The ability to bring reform in the quality and standards of education of the school;
 - IV. The ability to conduct the extra-curricular activities of the school to achieve excellence in the education;
 - V. The methodology to teach the Students;
 - VI. Past Educational research;
 - VII. Knowledge of Curriculum reforms.
 - VIII. General Knowledge,

After considering the marks given to candidates in the personal interview, the final selection list of not more than three candidates shall be prepared by the Minority School Selection Committee and recommended to the minority school Trust/Management for the appointment. The Minority School Trust/Management shall issue an order for appointment to the first candidate out of the final selection list so prepared. If the first candidate, by whatever reason, does not join the school to which he is given appointment then in such a case, rather than initiating the whole process afresh, the second number candidate of the final selection list shall be given appointment order and if under the circumstances, the second number candidate does not join the school then the minority school Trust/Management shall consider to give an appointment to the candidate who is at the third number position at the final selection list prepared by the Minority School Selection Committee.

14. **No Right to Appointment.-** Mere inclusion in the selection list shall not by itself confer upon a candidate any right to appointment. No candidate shall be appointed to the post unless the Minority School Selection Committee is satisfied after the personal interview and the candidate is found suitable in all respect for appointment to the post of Teacher.
15. **Expenditure and Bank Account.-** (1) The Scrutiny Committee for Minority Schools shall open a personal ledger account in a nationalized bank
 - (2) The chairman of the Scrutiny Committee for Minority Schools shall be empowered to incur the expenditure for the purpose of discharging the functions under these rules.
 - (3) If the total expenditure for selection of the candidates exceeds the amount received by way of application fees then such exceeded amount of expenditure shall be borne by the Government.
16. **Disqualification for appointment on the ground of plural marriage.-**
 - (1) No person:-
 - (a) who has entered into or contracted a marriage with a person having spouse living;
 - (b) who had a spouse living has entered into or contracted a marriage with any person shall be eligible for appointment to the said post:

Provided that if the Government is satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds to do so, Government may exempt any person from the operation of this rule.
 - (2) The candidate shall declare in the application form whether he or she, as the case may be, married and, in the case of male candidate he has more than one wives living and in the case of female candidate whether she has married to man who has already another wife living.
17. **Disciplinary Action.-** A candidate who is or has been declared by the Scrutiny Committee for Minority Schools to be guilty of:-
 - (a) obtaining support for his candidature by any means; or
 - (b) impersonating; or
 - (c) procuring impersonation by any person; or
 - (d) submitting fabricated documents or documents which have been tempered with; or
 - (e) making statement which are incorrect or false or suppressing material information; or
 - (f) resorting to any other irregular or improper means in connection with his candidature for his selection; or
 - (g) misbehaving in any other manner during selection process; or
 - (h) harassing or doing bodily harm to the staff employed by Scrutiny Committee for Minority Schools; or
 - (i) attempting to commit or, as the case may be abetting all or any of the acts specified in the foregoing clauses; shall be disqualified for the appointment of Teacher, as the case may be, for a period which may be extended up to five years.
18. **Probation.-** The selected candidate appointed on the concerned post shall be on probation as specified in Regulation 22 of the Gujarat Secondary and Higher Secondary Education Regulations, 1974.
19. **Medical Examination.-** A candidate selected for appointment shall submit a medical certificate of fitness as provided in Regulation 21 of the Gujarat Secondary and Higher Secondary Education Regulations, 1974.

Appendix-I
[See Rule No.11(3)]

(1) For the post of Higher Secondary Teacher :-

No.	Qualification	Maximum Marks
1	Graduate degree in concerned subject.	10
2	Post Graduate degree in concerned subject.	10
3	Graduate degree in professional subject i.e. B.Ed./ B.P.Ed. etc.	05
4	Post Graduate degree in professional subject i.e.M.Ed./ M.P.Ed. etc.	05
Total		30

(2) For the post of Secondary Teacher :-

No.	Qualification	Maximum Marks
1	Graduate degree in concerned subject	10
2	Post Graduate degree in concerned subject. (If possesses)	10
3	Graduate degree in professional subject i.e. B.Ed./ B.P.Ed. etc	05
4	Post Graduate degree in professional subject i.e.M.Ed./ M.P.Ed. etc (If possesses)	05
Total		30

(3) For the post of Special Teacher:-

(i) Drawing Teacher :-

No.	Qualification	Maximum Marks
1.	Graduate degree in Fine Arts (B.F.A)	30

OR

1.	Diploma in Fine Arts (5 years integrated course)	30
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OR

1.	Art Teacher Diploma(A.T.D) after Higher Secondary School Certificate (H.S.C)	30
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OR

1.	Drawing Master(D.M) after Higher Secondary School Certificate (H.S.C)	30
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(ii) Music Teacher:-

No.	Qualification	Maximum Marks
1	H.S.C.	15
2	Graduate degree in music	15
Total		30

(iii) **Physical Education Teacher:-**(a) **Secondary Teacher:-**

No.	Qualification	Maximum Marks
1.	Graduate in any branch of Arts, commerce and science	10
2.	Post Graduate in any branch of Arts, commerce and science. (If possesses)	10
3.	Bachelor in professional subject (B.P.Ed/D.P.Ed)	05
4.	Master's in professional subject (M.P.Ed) (If possesses)	05
Total		30

OR

No.	Qualification	Maximum Marks
1.	Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the three or more years Course	10
2.	Degree of M.P.E with Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the five or more years course (If possesses) .	10
3.	Bachelor in professional subject(B.P.Ed/D.P.Ed/B.Ed)	05
4.	Master's in professional subject (M.P.Ed/M.Ed) (If possesses)	05
Total		30

(b) **Higher Secondary Teacher:-**

No.	Qualification	Maximum Marks
1.	Graduate in any branch of Arts, commerce and science	10
2.	Post Graduate in any branch of Arts, commerce and science.	10
3.	Bachelor in professional subject(B.P.Ed/D.P.Ed)	05
4.	Master's in professional subject (M.P.Ed) (If possesses)	05
Total		30

OR

No.	Qualification	Maximum Marks
1.	Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the three or more years Course	10
2.	Degree of M.P.E with Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the five or more years course.	10
3.	Bachelor in professional subject (B.P.Ed/D.P.Ed/B.Ed).	05
4.	Master's in professional subject (M.P.Ed/M.Ed) (If possesses)	05
Total		30

(iv) **Craft and Industry Teacher:-**

No.	Qualification	Maximum Marks
1.	H.S.C	10
2.	Diploma in Engineering in subject concerned	10
3.	Graduate degree in Engineering in concerned subject. (If possesses)	10
TOTAL		30

Appendix-II**[See Rule No. 11(1)(d) & 11(2)]****Example of Calculation of 70% weightage of TAT and Calculation of 30% Weightage of qualification****(1) Calculation of 70% Weightage:-**

If a candidate secured 175 marks out of 250 marks in TAT conducted by the Board, for selection he gets
 $175 \times 70 / 250 = 49$ marks

(2) Calculation of 30% Weightage:-**(1) For the post of Higher Secondary Teacher :-**

No	Qualification	Maximum For example	For example	
			percentage secured by the candidate	Marks eligible on the basis of secured by the candidate (col.3 x col.4/100)
1	2	3	4	5
1	Graduate degree in concerned subject	10	70	7.0
2	Post Graduate degree in concerned subject	10	60	6.0
3	Graduate degree in professional subject i.e. B.Ed./ B.P.Ed. etc.	05	80	4.0
4	Post Graduate degree in professional subject i.e.M.Ed./ M.P.Ed. etc.	05	60	3.0
	Total	30		20

(2) For the post of Secondary Teacher :-

No	Qualification	Maximum For example	For example	
			percentage secured by the candidate	Marks eligible on the basis of secured by the candidate (col.3x col.4/100)
1	2	3	4	5
1	Graduate degree in concerned subject	10	60	6.0
2	Post Graduate degree in concerned subject (If possesses)	10	80	8.0
3	Graduate degree in professional subject i.e. B.Ed./ B.P.Ed. etc.	05	60	3.0
4	Post Graduate degree in professional subject i.e.M.Ed./ M.P.Ed. etc (If possesses)	05	60	3.0
	Total	30		20

(3) For the post of Special Teacher :-

(i) Drawing Teacher:-

No.	Qualification	Maximum Marks	For example	
			Percentage secured by the candidate	Marks eligible on the basis of the percentage secured by the candidate (col.3xcol.4/100)
1	2	3	4	5
1.	Graduate degree in fine arts (B.F.A) OR Diploma in fine arts (5 years integrated course) OR Art Teacher Diploma after Higher Secondary School Certificate (H.S.C) OR Drawing Master after Higher Secondary School Certificate (H.S.C)	30	60	18
	Total	30		18

(ii) Music Teacher:-

No.	Qualification	Maximum Marks
1	H.S.C.	15
2	Graduate degree in music	15
Total		30

(iii) Physical Education Teacher:-

No.	Qualification	Maximum Marks	For example	
			Percentage secured by the candidate	Marks eligible on the basis of the percentage secured by the candidate (col.3xcol.4/100)
1	2	3	4	5
1.	Graduate in any subject related to Secondary/ Higher Secondary level.	10	60	6.0
2.	Post Graduate in same subject as graduation.	10	80	8.0
3.	Graduate degree in professional subject (B.P.Ed/D.P.Ed)	05	60	3.0
4.	Post Graduate degree in professional subject (M.P.Ed)	05	60	3.0
		30		20

OR

No.	Qualification	Maximum Marks	For example	
			Percentage secured by the candidate	Marks eligible on the basis of the percentage secured by the candidate (col.3 x col.4/100)
1	2	3	4	5
1.	Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the three / four year course of NCTE accredited college after H.S.C.	20	60	12
2.	Master of Physical Education (M.P.E/M.P.Ed) with Degree of Bachelor of Physical Education (B.P.E) awarded at the end of the three/four year course of NCTE accredited college after H.S.C.	10	70	07
		30		19”

(iv) Craft and Industry Teacher:-

No.	Qualification	Maximum Marks	For example	
			Percentage secured by the candidate	Marks eligible on the basis of the percentage secured by the candidate (col.3 x col.4/100)
1	2	3	4	5
1.	H.S.C	10	70	7.0
2.	Diploma in Engineering in subject concerned	10	60	6.0
3.	Graduate degree in Engineering in concerned subject. (If possesses)	10	50	5.0
		30		18.0

According to above example the merit number will be decided of the candidate for the post of Teachers

No	Post	Marks obtained in TAT i.e. out of 70 %	Marks obtained In accordance with qualification i.e. out 30%	Total marks for the merit in inclusion in select list
1	2	3	4	5
1	Higher Secondary Teacher	49	20	69
2	Secondary Teacher	49	20	69
3	Special Teacher			
	(i) Drawing Teacher	49	16.5	65.5
	(ii) Music Teacher	49	18	67
	(iii) Physical Education Teacher	49	20	69
	(iv) Craft and Industry Teacher	49	20	69

By order and in the name of the Governor of Gujarat,

J. H. HEDAMBA,

Under Secretary to Government.

